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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/555,270	11/01/2005	Marc Lambertus Johannes Vlemmings	NL 030453	5108

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EXAMINER

AKINYEMI, AJIBOLA A

ART UNIT	PAPER NUMBER
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2618

NOTIFICATION DATE	DELIVERY MODE
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10/20/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ip.department.us@nxp.com

Office Action Summary	Application No. 10/555,270	Applicant(s) VLEMMINGS, MARC LAMBERTUS JOHANNES	
	Examiner AJIBOLA AKINYEMI	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 July 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 November 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Baltus (Patent No.: US 6282413B1).

With respect to claim 1:

Baltus teaches a receiver for receiving radio frequency comprising oscillating means (fig.8, item 42) for generating a first mixing signal (fig.8, input to item 43) having a first frequency, a frequency divider (fig.8, item 40 and 41 which can be in series or parallel) arranged to derive a second mixing signal (fig.8, input to item 44) from the first mixing signal, first mixer (fig. 8, item 43) arranged to down-convert the radio frequency signal to a first lower frequency signal using the first mixing signal (fig.8, input to item 43) and a second mixer (fig. 8, item 44) arranged to down-convert the first low frequency signal to a second lower frequency signal using the second mixing signal (fig. 8, input to item 44) in which a division factor of the frequency divider (fig.8, item 40 and 41 which can be in series or parallel) and a ratio between the center frequency and the first frequency are determined by the one of at least two frequency bands.

With respect to claim 2:

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Baltus teaches a receiver comprising a phase shifter for shifting the phase of the second mixing signal (fig. 2, phase shifter).

With respect to claim 3:

Baltus teaches a transmitter comprising oscillating means (fig. 8, item 42) for generating a second mixing signal (fig.8, input to item 44) having a second frequency, a frequency divider arranged (fig. 8, item 40 and 41 which can be series or parallel) to derive a first mixing signal from the second mixing signal, a first mixer (fig.8, item 43) arranged to up-convert a lower frequency signal to a higher frequency signal using the first mixing signal and a second mixer (fig. 8, item 44) arranged to up-convert the higher frequency signal to a radio frequency signal using the first second signal in which a division factor of the frequency divider and a ratio between the center frequency and the first frequency are determined by the one of at least two frequency bands.

With respect to claim 4:

Baltus teaches a transceiver (col.1, lines 9-12) that is capable of receiving radio frequency comprising oscillating means (fig. 8, item 42) for generating a first mixing signal (fig. 8, input to item 43) having a first frequency, a frequency divider (fig. 8, item 40 and 41 which can be series or parallel) arranged to derive a second mixing signal from the first mixing signal, first mixer (fig. 8, item 43) arranged to down-convert the radio frequency signal to a first lower frequency signal using the first mixing signal (fig. 8, input to item 43) and a second mixer (fig. 8, item 44) arranged to down-convert the first low frequency signal to a second lower frequency signal using the second mixing signal (fig. 8, input to item 44) in which a division factor of the frequency divider (fig.8,

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item 40 and 41 which can be series or parallel) and a ratio between the center frequency and the first frequency are determined by the one of at least two frequency bands.

With respect to claim 5:

Baltus teaches a transceiver comprising a transmitter (col.1, lines 9-12) that is capable of transmitting a second radio frequency signal having a second center frequency that is comprised in one of the at least two frequency band comprising a third mixer arranged to up-convert a low frequency signal to higher frequency signal using a third mixing signal and a fourth mixer arranged to up-convert the higher frequency signal to radio frequency signal using the fourth mixing signal (col.2, lines 52-52 and fig.3).

With respect to claim 6:

Baltus teaches a transmitter with oscillating means (fig. 2, item 10) are further arranged to generate the fourth mixing signal having a third frequency and a second frequency divider (fig. 2, item 8-2) for deriving the third mixing signal from the fourth mixing signal in which the division factor of the second frequency divider and a second ratio between the second center frequency and the third are determined by one of at least two frequency bands.

With respect to claim 7:

Baltus teaches a transceiver wherein first mixing signal (fig.8, input to item 43) the third mixing signal and the second is equal to fourth.

With respect to claim 8:

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Baltus teaches a method comprising generating a first mixing signal (fig. 8, input to item 43) that has a ratio to the center frequency, which ratio is determined by the one of at least two frequency bands, deriving a second mixing signal (fig. 8, input to item 44) from the first mixing signal by using a frequency divider (fig. 8, item 40 and 41 which can be in series or parallel) having a division factor which is determined by the one of at least two frequency bands comprising the center frequency, down-converting the radio frequency signal to a first lower frequency signal using the first mixing signal (fig. 8, input to item 43) and down-converting the first lower frequency signal to a second lower frequency signal using the second mixing signal (fig. 8, input to item 44).

With respect to claim 9,10,11 and 12:

Baltus disclosed a receiver wherein the ratio between the center frequency and first frequency is equal to $(N+1)/N$ or $(N-1)/N$ (col.4, lines 34-51).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AJIBOLA AKINYEMI whose telephone number is (571)270-1846. The examiner can normally be reached on monday- friday (8.30-5pm) Est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, YUWEN PAN can be reached on (571) 272-7855. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AA
/Yuwen Pan/
Primary Examiner, Art Unit 2618